

REMARKS

The present application stands with claims 1-14 rejected under 35 U.S.C. §103(a) for obviousness over Klein in view of US 5,974,106 (Dupont). From the particular passages referred to it is believed that cited "Klein" reference is to the document "Frames Multiple Access For UMTS", IEE, pages 1-8, written by Ojanpera, Klein and Anderson. Since, however, a previous document cited by the Examiner was also referred to as "Klein", the currently referred to "Klein" document will hereinafter be referred to as "Ojanpera" to avoid confusion with that previous "Klein" document.

With respect to claim 1, it is respectfully submitted that the Examiner is incorrect regarding the disclosure of col.3 lines 17-18 of Dupont. It does not disclose a first data portion of a burst belonging to a first sender and a second data portion of the burst belong to a second sender. Interestingly, although Dupont column 3 lines 17 to 18 refers to data units 210 and 220, these reference signs are not indicated in Figure 2. Looking at Dupont column 3 lines 13 to 19, the text states:

FIG.2 illustrates a frame/burst 200 structure for one embodiment of the invention. Each frame of a GPRS channel includes repeating time slots or subchannels, each time slot capable of carrying a communication burst. A first sender 102 transmits first data units (e.g., data units 210) and a second sender 108 transmits second data units (e.g., data units 220). One such burst is shown in expanded form as burst 201.

It is respectfully submitted that to the reader this passage would most likely mean that the first data unit 210 takes a first slot in a frame and a second data unit 210 takes a second slot in the frame.

It follows that Dupont does not clearly or unambiguously disclose the principle of placing data units of two different users together in the same TDMA transmission burst. Furthermore, Dupont does not disclose or suggest any detail as to how that might be done.

Furthermore, reading on through Dupont, its column 3 lines 19 to 22

reads:

One such burst is shown in expanded form as burst 201. This GPRS data burst includes encoded data and a mid-amble training sequence, with synchronization flag bits 202 on either side of the synchronization sequence.

This passage refers to a GPRS data burst. GPRS bursts are known to only serve one user data per burst, a point on which supporting evidence can be provided should the Examiner consider it necessary.

On a further point, even assuming for the sake of argument (although we dispute this) that the Examiner's preliminary interpretation were true, namely that column 3 lines 17 to 18 of Dupont discloses a burst including data units of two users, significantly Dupont does not disclose or suggest how data for different users within a burst would be identified. This is an important point as it adds weight to the view that the skilled reader of Dupont would assume that a burst is occupied by data from a single user only.

In view of the above, it is respectfully submitted that claim 1 is patentable to the standard of 35 USC §103(a) over Ojanpera in view of Dupont.

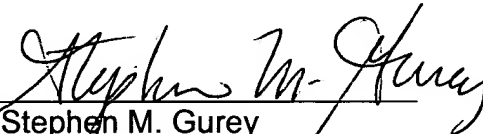
Dependent claims 2 to 14 are allowable not least on the basis that they each depend on an allowable independent claim 1.

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For the reasons discussed above, each of the claims presently in the application is believed to be in a condition for allowance. Passage to issue of the subject application is therefore respectfully requested. Should the Examiner feel that the present application is not yet in a condition for allowance and that a telephone or personal interview would be helpful, he is invited to contact applicants' undersigned attorney at **973 386 8252**.

Respectfully submitted,

Konstantinos Samaras
Louis Gwyn Samuel
Jian Jun Wu
Ran-Hong Yan

By 
Stephen M. Gurey
Attorney for Applicants
Reg. No.: 27336

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Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
Room 3J-219
Holmdel, New Jersey 07733-3030